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GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
FINANCE

Tuesday, March 2, 2021
12:00 PM

State Capitol, Via Videoconference, Conference Room 308

In consideration of
HOUSE BILL 1020, HOUSE DRAFT 1
RELATING TO ADAPTIVE NATURAL RESOURCE MANAGEMENT

House Bill 1020, House Draft 1 proposes to authorize the Board of Land and Natural Resources (Board) to temporarily adopt, amend, and repeal certain natural resource rules by formal Board action at a publicly noticed meeting if the Board finds that such adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions. **The Department of Land and Natural Resources (Department) supports this Administration measure and offers the following comments.**

The Department is responsible for managing and administering the aquatic and terrestrial wildlife resources of the State. These natural resources are impacted by a variety of environmental and anthropogenic factors, some of which may change rapidly and frequently. To effectively manage these natural resources, the Department needs the flexibility to quickly and efficiently implement adaptive management measures that are informed by the best available scientific information.

The administrative rule-making process prescribed by Chapter 91, Hawaii Revised Statutes, serves the important function of providing opportunity for public review and input. However, it is not designed for rapid implementation of adaptive management measures in response to changing resource conditions. This bill would provide the Department with an additional tool to quickly implement certain temporary adaptive management measures, while also providing opportunity for public review and input.

Thank you for the opportunity to comment on this measure.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS


OFFICE OF HAWAIIAN AFFAIRS
‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai
Legislative Testimony

HB1020 HD1
RELATING TO ADAPTIVE NATURAL RESOURCE MANAGEMENT
Ke Kōmike Hale o ka ‘Oihana ‘Imi Kālā
House Committee on Finance

Malaki 2, 2021

12:00 p.m.

Lumi 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB1020 HD1, which would allow the Department of Land and Natural Resources (DLNR) and the Board of Land and Natural Resources (BLNR) to better manage our vitally important natural and cultural resources, by providing the DLNR and BLNR with the flexibility to quickly respond to changing resource conditions.

OHA has long supported better management of our ecologically and culturally critical nearshore resources, upon which many of our beneficiaries’ Native Hawaiian traditional and customary practices and subsistence lifestyles depend. For example, OHA invests in and advocates for community-based fisheries management proposals, which are based upon subsistence fishing communities’ intimate knowledge of, and deep and daily connection with, their nearshore waters. OHA notes that these communities’ efforts to more formally protect their resources can be frustrated by the long timeline of the Chapter 91 rulemaking process, which has not allowed for the timely implementation of management measures necessary to address observed changes and conditions in the ocean environment as well as in associated human behavior.

HB10201 HD1 would authorize the DLNR to adopt an “adaptive management” framework, providing DLNR staff and the BLNR with the ability utilize a variety of real-time data and “feedback,” such as communities’ observed responses to management actions, to respond to the changing management needs of our dynamic and complex marine ecosystems. Such a framework would be a powerful tool not only because of its flexibility, but also because it would allow state management efforts to better incorporate the intimate knowledge and experience of those who are observing and connecting with our ocean resources on a daily basis.

Accordingly, OHA urges the Committee to **PASS** HB1020 HD1. Mahalo nui for the opportunity to testify.



Testimony Before The
House Committee on Finance
IN SUPPORT OF HB 1020 HD 1
Tuesday, March 2, 2021, 12:00PM, Room 308

We are Kevin Chang and Miwa Tamanaha the Co-Director's of Kua'āina Ulu 'Auamo (or KUA). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being.

KUA works to empower communities to improve their quality of life through caring for their environmental heritage together. We employ a community-driven approach that currently supports a network of more than 36 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 38 fishpond projects and practitioners called the Hui Mālama Loko l'a, and a growing hui of Limu practitioners all from across our state.

KUA generally supports HB 1020 HD 1. The purpose of this bill is to authorize the Board of Land and Natural Resources to temporarily adopt, amend, and repeal certain natural resource rules by formal board action at a publicly noticed meeting if the Board finds that the adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions.

A primary function of KUA includes development of an 'auwai, a stream of resources tools, bridges and networks that help to cultivate and take community-based natural resource management work to greater levels. A core source of a healthy flow in this 'auwai includes policies that empower government to be more responsive and collaborative with place-based resources users who have the most long-term situated knowledge and dependence on their resources. Currently, DLNR is often hamstrung in its ability to adapt management policies and practices in a timely manner.

Taking decades to pass important resource protections is maladaptive especially in a time of climate change. The process suggested by this bill provide for a quicker response, time-bound restrictions and public input. The community-based subsistence fishing area (CBSFA) movement that many in our networks have contributed to was in part a response to government senescence and inability to respond. The cultural practices at the heart of the CBSFA law concern adaptive management and rely on a principle of subsidiarity, allowing decisions to be more timely and placed where the knowledge, responsibility, accountability and utmost impact exists. For this reason among others we see this as a step forward in caring for Hawai'i together with its people.

Mahalo for this opportunity to testify.

Aloha 'Āina Momona.

HB-1020-HD-1

Submitted on: 2/27/2021 5:20:24 PM

Testimony for FIN on 3/2/2021 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Kaiser	Individual	Comments	No

Comments:

I have difficulty supporting this bill as written. I would support the bill if wording was added that all decisions or changes would be supported by the best available science. Currently written it mentions nothing of science. Adding science to the wording will ensure that decisions are made by science and not emotions or what's popular at the moment. Science should be what always guides us.

So it's a simple amendment that no one should be against and all should support

HB-1020-HD-1

Submitted on: 3/1/2021 4:12:02 PM

Testimony for FIN on 3/2/2021 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members,

Please support HB1020.

Thank you,

Andrea Quinn